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# Remembering Harry Bitner: Law Librarian, Professor, and Wonderful Colleague

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# Remembering Harry Bitner: Law Librarian, Professor, and Wonderful Colleague\*

Claire M. Germain\*\*

Professor Bitner was an outstanding law librarian who shaped many of our best libraries, who was a mentor to many younger law librarians, and who provided leadership to the law library profession and to legal education generally.<sup>1</sup>

¶1 Harry Bitner had a profound influence on law librarianship as a profession and on legal research as a faculty specialization. He was responsible for some of the key elements and essential features of law librarianship that we now take for granted.

¶2 Many of Harry Bitner's innovations occurred while he was at Cornell.<sup>2</sup> This makes it even more of a pleasure and an honor for me, as the newest of the Cornell Law Library directors,<sup>3</sup> to rediscover Harry Bitner through the memories of his friends, colleagues, and family, and through his own writings.

## Biographical Sketch

¶3 Harry Bitner was born in 1916. He received his J.D. in 1939 and his A.B. in 1941, both from the University of Kansas City (where he was a member of the *University of Kansas City Law Review*), and his B.S. L.S. in 1942 from the University of Illinois. He served as law librarian (1939–42) and instructor in law (1942–43) at the University of Kansas City; reference law librarian, University of Pennsylvania, Biddle Law Library, 1946; associate law librarian, Columbia University School of Law Library, 1946–54; librarian, Department of Justice, 1954–57; law librarian, Yale Law School Library, 1957–65; and law librarian and professor of law, Cornell Law School, 1965–76. He became law librarian and professor of law, emeritus at Cornell in 1976. After “retirement,” Harry Bitner continued his professional work as head of bibliographical services, Fred B. Rothman

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\*\* Edward M. Cornell Law Librarian and Professor of Law, Cornell University Law Library, Ithaca, New York. Many thanks to Crystal Hackett, Administrative Assistant, Cornell Law Library, who did much of the background research and writing on the history of the law library and, in particular, on Harry Bitner.

1. Letter from Robert Oakley, Director of the Law Library and Professor of Law, Georgetown University Law Library, nominating Harry Bitner for AALL Distinguished Service Award nomination to Carl Yirka, Chair, AALL Awards Committee (Sept. 7, 1988) (on file with AALL Archives, Urbana, Ill.).

2. See *infra* ¶¶ 6–12.

3. See *infra* note 5.

and Co., 1976–78, and legal bibliographer, Columbia University, 1981–89. He was a member of the Council of National Library Associations; the American Association of Law Libraries, serving as a member of the Executive Board in 1953–56 and president in 1963–64; and the Association of American Law Schools. Over his career he also served as a consultant to many law libraries.

¶4 Among the awards he received in his long career were the Joseph L. Andrews Bibliographical Award for *Law Books Recommended for Libraries* in 1971 (co-recipient with Meira Pimsleur) and the AALL Distinguished Service Award in 1989 (now called the Marian Gould Gallagher Distinguished Service Award). Not the least of his many accomplishments, he was also a prolific author.<sup>4</sup>

¶5 According to his daughter, Lorraine Gilden, Harry's life revolved around his work. But he also loved to watch football games (he played the sport in high school) and westerns on television. He also spent time reading books on philosophy and Judaica, and was very involved with his synagogue in Connecticut and New Jersey. Charlotte Sherr Kutscher, part of Harry's professional and social life and a lifelong friend from the moment they met at Columbia when she started there as a reference librarian in 1946, remembers him as a bright and compassionate friend and a gentleman in every sense of the word. She still works as a librarian at Middle School 143 in the Bronx.

### Harry Bitner at Cornell

¶6 There have been only seven librarians at Cornell since its founding in 1887.<sup>5</sup> Each made significant contributions to help build the Cornell Law Library into the strong research library that it is today. As the first professionally trained law librarian at Cornell, Harry Bitner played a particularly vital role in the development of the collection and staff. He introduced scientific methods and standards to library processes, and brought professional acumen to the organization and staffing of the library.

¶7 While at Cornell, Harry Bitner considerably improved all areas of the law library, expanded and reorganized the staff, increased and classified the collection, and developed services to faculty and students. He also started the first legal research course at Cornell Law School as part of the first-year course in "Practice Training."

¶8 Harry Bitner arrived at Cornell in 1965 with definite goals. With Miles O. Price, he had done a survey of the law library in 1960 and knew what to expect.

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4. See Crystal Hackett, *Bibliography of Harry Bitner*, 94 LAW LIBR. J. 206, 2002 LAW LIBR. J. 16.

5. This is in contrast to fourteen deans! The first law librarian was Edward Cornell who actually was a law student put in charge of the library. (His son established the Edward Cornell Law Librarian Chair for the law library director position in 1988.) Following Cornell, who served as law librarian from 1887 to 1891, were Alexander Hugh Ross Fraser (1893–1911), Edward Ecker Willever (1911–35), Lewis Morse (1935–65), and Harry Bitner, who arrived as law librarian and professor of law in 1965, and retired in 1975. He was succeeded by Jane Hammond (1976–93), and I became the seventh law librarian in 1993.

He gave his immediate attention to the preparation of the budget and the organization of the law library. He immediately increased the size of the staff from eleven to sixteen and organized the library into three areas: Acquisitions, Cataloging, and Reference and Circulation, subsequently merging Acquisition and Cataloging into the Technical Services Department. In strengthening the collection, he increased the number of legal treatises and related material in the social sciences and concentrated on the acquisition of international and foreign law materials, particularly those of Latin America.

¶9 In 1966–67 the total number of volumes in the collection was 205,456; book expenditures were \$119,678. The collection passed the 300,000 volume mark in 1974–75; its total of 304,451, mostly in hard copy, ranked twelfth among law school libraries. Book expenditures had increased to \$208,800.

¶10 He rearranged the collection and started using the newly established Library of Congress “K” classification for United States law in 1967 to classify the entire collection, requiring an increase in the cataloging staff and major shifting in the stacks. In 1975, the staff consisted of eight professional librarians and fifteen support staff, a total of twenty-three staff members. Three additional staff members, one professional cataloger and two assistants, worked on the classification project between 1967 and 1972, which brought the total staff number to twenty-six.

¶11 He developed a more effective program of reference and circulation, which included keeping the library open for more hours, retrieving unbound journals, and providing copy services. Under his direction, the library produced a *Cornell Law Library New Acquisitions* list arranged by subject, and the staff brought to the attention of the faculty recent law review articles in their fields of interest. He also started a program of exhibits.

¶12 In the words of his secretary, Crystal Hackett, who has worked at the Cornell Law Library from 1964 to date, “He had a commitment to his staff. He fought to raise the status of the professional librarians with the university and improve working conditions for the staff. And he won! He would listen to the faculty, students, and staff. He cared about them.” Crystal Hackett remembers him as a “quiet, gentle giant. People who did not know him were afraid of him at first, but were quickly put at ease when he started talking. He enjoyed getting to know people and would ask about their families.”

### The Legacy of Harry Bitner

¶13 Even in an era of wide-sweeping, revolutionary changes in the production and dissemination of legal information, Harry Bitner still epitomizes the qualities that make for a great academic law librarian:

- serving faculty and students, first and foremost;
- building strong collections—in his time they were print, now increasingly they are digital—of Anglo-American law, but also international and foreign law;

- critically evaluating legal scholarship and using expert bibliographical skills; and
- sharing knowledge about legal information and teaching legal research methods.

¶14 The memory of Harry Bitner lives with us every day. Even today, we at Cornell, as well as so many other law librarians throughout the country, regularly go through the “green slips”<sup>6</sup> to decide what to acquire for our library. When we have difficulty making a decision about whether to purchase a legal history reprint, our first thought is that Harry Bitner would immediately know what to do. But, luckily, we can still go back to the list of recommended books<sup>7</sup> he developed for the Association of American Law Schools to see if he rated the item as a “must have” for a law library collection.

¶15 If law librarians now enjoy the benefits of AALL as a strong professional organization, it is because of Harry Bitner’s tireless work in “launching” a campaign to establish the first headquarters during his presidency;<sup>8</sup> and in so doing he helped move AALL from a family-style operation to a truly professional enterprise.

¶16 One of Harry Bitner’s major legacies is his magisterial book, *Effective Legal Research*,<sup>9</sup> coauthored with Miles O. Price in 1953. It was the first standard book on legal research and, with its many later editions, is still considered to be one of the best in the field.

¶17 Harry Bitner was eager to pass on his knowledge of law materials and legal research. At Cornell, he started a new program of instruction in legal bibliography as part of the first-year curriculum. Within AALL, he developed legal research education programs and helped start the series of rotating institutes that was such an integral part of the Association’s educational efforts from inception in 1964 to cessation in 1975.<sup>10</sup>

¶18 He was also one of the first “global law librarians,” starting in the 1950s when he was an Eisenhower Fellow. In the 1960s he spent time in Africa helping to create the first law library in Tanganyika (now Tanzania), then a newly independent former British colony. In his words, “[T]he need to assist in the development of foreign law libraries throughout the world and particularly in the underdeveloped countries is becoming increasingly important. On the other side of the coin is the great need of the law libraries in this country to receive legal materials from these places. . . . Here is another area where we can contribute much to

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6. Those very handy 3" x 5" bibliographic slips that Bitner and the Fred B. Rothman & Co. devised as a selection tool for new publications. These are still published today by William S. Hein & Co.

7. ASS'N OF AM. LAW SCHOOLS, LAW BOOKS RECOMMENDED FOR LIBRARIES (Harry Bitner ed., 1967-74).

8. See Harry Bitner, [Report of the] President, 57 LAW LIBR. J. 177, 177 (1964) (describing the importance of establishing “a central Headquarters Office with full-time personnel” and the special fundraising campaign then underway).

9. MILES O. PRICE & HARRY BITNER, EFFECTIVE LEGAL RESEARCH: A PRACTICAL MANUAL OF LAW BOOKS AND THEIR USE (1953).

10. See Laura N. Gasaway & Steve Margeton, Continuing Education for Law Librarianship, 70 LAW LIBR. J. 39, 47-48 (1977).

librarianship as a profession by cooperating with other library and legal organizations in supporting such activities which can lead to better international understanding.”<sup>11</sup>

¶19 To continue the legacy of Harry Bitner, his family has generously offered to fund a “Bitner Research Fellows” program at the Cornell Law School, honoring his love of, and commitment to, the law school library and the Cornell community. As his son-in-law Richard Gilden said: “Harry spent his life dedicated to legal research and legal bibliography, and was keenly interested in international legal jurisprudence, philosophy, and historical geopolitics.” The new program is intended to foster the law library’s standing as a center for international legal research. It will cover travel and housing costs for visiting scholars and law librarians, with a special focus on attracting scholars from developing countries who could not otherwise afford to come to an institution like Cornell to study and share their knowledge and insights.

¶20 Harry Bitner is remembered as a man of many talents who was most generous in sharing his vast knowledge with younger librarians. His law librarian colleagues remember him as a librarian extraordinaire and a fine gentleman. The Cornell alumni remember Professor Bitner as a beloved and enthusiastic teacher whose impact was felt by all of his students.

¶21 All in all, Harry Bitner is an inspiration to us all and a model to follow.

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11. Bitner, *supra* note 8, at 179–80.

# Harry Bitner: A Memorial\*

Morris L. Cohen\*\*

¶1 Harry Bitner, who died on May 5, 2001, in Yonkers, New York, was a major figure in law librarianship for more than thirty-five years, from his service as librarian of the University of Kansas City Law School (1939–1942) to his retirement as law librarian and professor of law at the Cornell Law School in 1976. In the intervening years, he served with distinction as reference librarian at the Biddle Law Library of the University of Pennsylvania; as associate librarian at the Columbia Law School under Miles O. Price (1946–1954); as librarian of the United States Department of Justice (1954–1957); as law librarian of the Yale Law School (1957–1965); and as law librarian and professor of law at the Cornell Law School (1965–1976). These important professional positions do not alone indicate the full measure of Harry Bitner's professional achievements. To see that, we must look at what he did for the American Association of Law Libraries and other professional groups, what he contributed to the teaching and scholarship of legal bibliography and legal research, and what sort of person he was.

¶2 In the American Association of Law Libraries, Harry was first of all a generous doer, a committee worker, a meeting participant, and a colleague to the novices and the veterans and to everyone in-between. His was a voice of reason in Association discussions, a voice of influence and weight. Many tributes and comments came after his death to Claire Germain, his successor at Cornell. Some appear here.<sup>1</sup> Certain phrases were frequently repeated in these messages: “gave generously,” “sharing his knowledge,” “gentleman,” “gracious,” “a giant among his contemporaries,” and “many talents.” Many of us remember his gentle mentoring and his warm interest when we entered the profession. Harry Bitner was a one-man CONELL at AALL Annual Meetings long before there was an official CONELL. He was a member of the Executive Board of the organization and then served as president in 1963–64. The Bitner presidency was a crucial one in the history of AALL. Harry worked tirelessly, and ultimately successfully, to establish a national headquarters for the organization in Chicago. It started modestly in two rooms, staffed only by Babe Russo.<sup>2</sup> However, that step began the transition of

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\*\* Law Librarian (retired) and Emeritus Professor of Law, Yale Law School, Lillian Goldman Library, New Haven, Connecticut.

1. See Claire M. Germain, *Remembrances of Harry Bitner*, 94 LAW LIBR. J., 2002 LAW LIBR. J. .

2. *Editor's Note*: Antonette (Babe) Russo served as AALL's Administrative Secretary from 1969 to 1989. Of the early days of AALL headquarters, former president Robert Berring wrote: “Babe held AALL together through days when she was the entire Headquarters staff, when budgets were hand-to-mouth and everyone had to improvise.” Robert C. Berring, *Tribute to Babe Russo*, 25 AALL NEWSL. 366, 366 (1994).

AALL from a volunteer, family-style association to a fully staffed, modern, sophisticated multipurpose organization that today is an influential player both in the world of librarianship and information management and in the legal community. For several years, Harry also represented law librarianship in the Council of National Library Associations. In recognition of his many contributions to law librarianship, he was honored with the Distinguished Service Award of the American Association of Law Libraries in 1989.

¶3 Harry Bitner's contributions to the advancement of legal bibliography and legal research began while he was associated with Miles O. Price at Columbia. During that period the two men collaborated on their seminal treatise, *Effective Legal Research*,<sup>3</sup> first published in 1953. The book advanced the scholarly approach to the teaching of legal research which was begun by Frederick C. Hicks and reflected in his book, *Materials and Methods of Legal Research*.<sup>4</sup> The Hicks book, which by then was badly in need of updating, represented a new development in the legal research textbook. Price and Bitner continued that intensive treatment of legal bibliography while striving for both accuracy and readability. They produced a work that served for many years and through several editions as both a pedagogical tool and a reference work. It remains an invaluable friend to law librarians and a model for the many authors of successor works.

¶4 Another aspect of Harry's contribution to legal bibliography was his service as director of the Library Study Project of the Association of American Law Schools from 1967 until the mid-1980s. That project was designed to prepare for publication a series of scholarly, annotated bibliographies for different fields of law. To assist librarians in collection development, each entry was graded into one of three different categories indicating the work's relative importance for libraries of varying size and sophistication. It was a tremendous undertaking, with each list being prepared by a scholar or bibliographer of note in that field. Many were done by Harry's old boss, colleague, and collaborator, Miles Price. Harry was editor, coordinator, gadfly, and quality assurance officer. The work was published by Fred B. Rothman and Co. in six loose-leaf volumes, under the title *Law Books Recommended for Libraries*,<sup>5</sup> followed a few years later by a supplementary set of four volumes. The publication was a great success and was widely used by law libraries in the 1970s and '80s, the decades when the collections of such libraries grew so rapidly. Harry Bitner's role in both its initial conception and its eventual implementation was crucial to that important achievement.<sup>6</sup> The volumes are still used for retrospective research and development by knowledgeable librarians and scholars.

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3. MILES O. PRICE & HARRY BITNER, *EFFECTIVE LEGAL RESEARCH: A PRACTICAL MANUAL OF LAW BOOKS AND THEIR USE* (1953).

4. FREDERICK C. HICKS, *MATERIALS AND METHODS OF LEGAL RESEARCH WITH BIBLIOGRAPHICAL MANUAL* (1923).

5. ASS'N OF AM. LAW SCHOOLS, *LAW BOOKS RECOMMENDED FOR LIBRARIES* (Harry Bitner ed., 1967-74).

6. In 1971 Harry Bitner and Meira Pimsleur were co-recipients of AALL's Joseph L. Andrews Bibliographical Award for their contributions to *Law Books Recommended for Libraries*.



¶5 After his retirement from Cornell in 1976, Harry Bitner continued his bibliographic activity, first with Fred B. Rothman and Co. where he helped developed Rothman's "green slip" acquisitions program. Then he spent several years back at the Columbia Law School Library which he had served so well years before. This time he worked as a bibliographic specialist helping to further expand its great collections. Throughout his career he drew love and support from his beloved wife Anne and his daughter Lorraine.

¶6 Each generation creates for itself the giants whom it emulates and upon whose shoulders it sees itself standing. Standing on the shoulders of giants enables us to see farther and makes us seem taller, at least to ourselves. For me and I suspect for Harry Bitner, it was Frederick Hicks, Miles Price, and Marian Gallagher who were our giants. But for all who entered law librarianship from the early 1960s to the early '80s, Harry Bitner must certainly be counted among the giants of law librarianship. He was a quiet and gentle man, but a giant in mind and heart and in his many contributions to our profession.

# Remembrances of Harry Bitner\*

Compiled by Claire M. Germain\*\*

## Marsha Baum†

¶1 I worked for Harry Bitner at Columbia when I was a student in library school. He was a most gracious man who provided me with insight, training, and support for my career in law librarianship.

## Richard Beer††

¶2 Morris Cohen had just started his rotating “Law Library Institutes,” and I had the pleasure of attending the first one which was on legal research.<sup>1</sup> When I got there, I asked Morris if I could take my final exam orally because of my poor writing. He agreed and said that he would get back to me about when the exam would occur and who would give it to me. Along with Morris, the faculty consisted of Marian Gallagher, Mort Schwartz, and Harry Bitner. About two days before the exam, Morris told me that Harry would give my exam. If you don’t think that the fear of God went through me, think again. I knew Morris, but I don’t think I had ever said three words to Harry. There I was, three years a law librarian and about to be tested by one of the giants of our profession. But it turned out to be a wonderful experience! He put me at ease, and before I knew it, it was over. Harry Bitner was a kind man. After that, we would always talk at the conventions.

## Dale Alan Diefenbach‡

¶3 I have met only a few persons of real integrity in my life—Harry Bitner was one of them. He was boss, mentor, and friend. I admired his going into battles that he

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† Director/Associate Professor of Law, University of New Mexico Law Library, Albuquerque, New Mexico.

†† Oakland County Library Board Administrator, retired, Adams-Pratt Oakland County Law Library, Pontiac, Michigan.

1. *Editor’s Note:* The first in a series of rotating institutes designed to provide training in basic library techniques was held at the University of Missouri at Columbia Law School Library on June 22–27, 1964, preceding the AALL Annual Meeting held in St. Louis that year. The topic was “Legal Bibliography” and the director was Morris Cohen. For a description of the first institute, see *Proceedings of the Fifty-Seventh Annual Meeting of the American Association of Law Libraries Held at Saint Louis, Missouri, June 28–July 2, 1964*, 57 LAW LIBR. J. 309, 312–13 (1964) (Education Committee report presented by Morris L. Cohen).

‡ Senior Reference Librarian, retired, Harvard Law Library, Cambridge, Massachusetts (Cornell Law Library, Ithaca, New York, 1970–87).

knew he was unlikely to win. When I first arrived at Cornell in 1970, Lorraine Kulpa, my section chief, encouraged individual initiative in solving reference questions. "You can always go see Professor Bitner if you are stuck. But I warn you, be prepared to show him what you have done already." At first, I felt like Dorothy approaching the Wizard of Oz. I would blurt out what I thought might be a way to answer the question and then wait for the inevitable "Well, that might get you something, but what you want to do is such and such." Harry would give me Rothman green slips and ask that I go through them. He would compare them with his own choices. I would be asked to justify ones that differed from his choices. It was a great learning experience to work with such a renowned bibliographer. Students hated going through his rigorous legal bibliography course, but would come back later as attorneys full of appreciation for his efforts. His ten-year tenure as law librarian at Cornell brought that library into the ranks of the best.

### Jack S. Ellenberger\*

¶4 Although the membership of the American Association of Law Libraries authorized an official Chicago headquarters for the Association at its 1964 meeting in St. Louis, the year that Harry Bitner was AALL president, it had no professional staff in place until 1970. In the meantime and for at least ten years before that, Harry Bitner was the next best thing: AALL's primary "booster"—in effect, its director of public relations even as he held increasingly important positions in American law libraries at the University of Pennsylvania, Columbia University in New York, the U.S. Department of Justice, Yale University, and Cornell University. To do this took more than talent and scholarship, which Harry had in abundance; it also required considerable stamina grounded in his Midwestern warmth and geniality.

¶5 Harry was an easy guy to know, and it seemed to me as I got to know him in the late 1950s that he stood at the center of everything in AALL at that time. From his various lustrous pulpits, where he became a pre-eminent authority and teacher of legal bibliography, he lost no opportunity to explain and extol the value of employing professional law librarians, especially where opportunity beckoned in American corporate or special libraries.

¶6 A corollary of good public relations is, of course, knowing where the good jobs are. In this, Harry became an expert, acquiring a remarkable instinct for matching quality young law librarians with promising positions, often in corporate headquarters situations, knowing they would excel. And they did, for instance, when in 1959 he recommended to the General Motors Corporation that it employ Eileen Murphy as its first corporate headquarters law librarian in Detroit. Eileen, of course, massively vindicated Harry's confidence following the 1964 AALL Annual Meeting when she and Bill Murphy (of Kirkland & Ellis in Chicago) pro-

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\* Director of Libraries, retired, Shearman & Sterling, Citicorp Center Library, New York, New York.

moted and managed a hugely successful Association-wide fund-raising campaign that made AALL headquarters a reality.<sup>1</sup> In those “middle” years of change and growth for AALL, Harry Bitner not only helped make them possible but also inspired many AALL members who could give them shape and impact. Harry was a true “progenitor” like few others I have known in AALL, who took his teaching, time, and talents into the working lives of many AALL members with enduring benefit to our Association.

### Jane L. Hammond\*

¶7 Harry Bitner came to Cornell Law School when it was changing from a regional to a national law school and Harry was a major factor in accomplishing that change.

¶8 Robert Stevens had been dean of the law school from 1937 to 1954. When Ray Forrester came from Tulane to succeed Stevens, he found a school that was training lawyers to practice in New York from Wall Street to Buffalo. Forrester set out to change it into a national law school. One of his early moves was to hire Miles O. Price (Columbia) and Harry Bitner (Yale) to do a thorough survey of the Cornell Law Library. The detailed report they provided called for a major expansion of the collection and a concomitant increase in staff. Forrester recalled later that when he offered Lewis Morse the funds to start expanding the collection, Morse reacted by asking, “Who needs all those books?” In 1965, Morse, who had been the librarian at Cornell since 1935, moved to the Alumni Office and Harry Bitner became the law librarian.

¶9 When Bitner arrived, his staff consisted of one professional technical services librarian and a secretary. Public services were provided by law students. The library held a solid basic Anglo-American collection of 205,456 volumes. When Bitner left in 1975, the collection had expanded to 116,000 titles in 314,832 hard copy volumes. This is a very high ratio of titles to volume, making the growth even more remarkable. The number of staff had been increased so that professional reference service could be provided, and there were enough technical service staff not only to keep current in acquiring new materials but also to catalog them while simultaneously recataloging and classifying the original collection.

¶10 Truly, Bitner had created a law library that met the needs of the expanded scope of the Cornell Law School’s faculty and students.

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1. *Editor’s Note*: The pairing of Eileen Murphy and Bill Murphy (no relation) as cochair of the AALL Headquarters Fund Drive from 1964 to 1968 and the crucial importance their efforts had for the subsequent expansion of AALL has been chronicled elsewhere. See Sheila F. Murphy, *Memorial: Eileen M. Murphy (1923–1999)*, 92 LAW LIBR. J. 113, 114 n.2–4 (2000) (describing the formation of the Murphy “partnership” and some of the details of the drive). See also *Proceedings of the Fifty-Seventh Annual Meeting of the American Association of Law Libraries Held at Saint Louis, Missouri, June 28–July 2, 1964*, 57 LAW LIBR. J. 309, 325–30 (1964) (remarks of Eileen Murphy describing headquarters fund drive).

\* Edward Cornell Law Librarian (retired) and Professor of Law Emerita, Cornell Law Library, Ithaca, New York (Cornell Law Library, 1976–93).

**Dan F. Henke\***

¶11 There was an air of understated elegance about Harry Bitner as he moved around the Columbia Law Library during the era of “MOP” (aka Miles O. Price), when *Effective Legal Research* was aborning and Columbia was one of two assembly lines for the production of law librarians, the other being Marian Gallagher’s operation at the University of Washington.<sup>1</sup>

¶12 Under the circumstances, there was a great deal of work to be done, over and above the normal functioning of a great law library; and Harry, in his quiet, kindly, and knowledgeable way, assisted the students with their problems as well as helped patrons find the information they sought. In the early fifties and beyond, *Effective Legal Research* was the predominant reference source to which law librarians first turned for assistance in their tasks. Harry, as coauthor, was the major contributor to this classic work. From Columbia, Harry went on to leadership roles in prestigious law libraries, terminating his career at Cornell.

¶13 As one of the pioneering “third degree” law librarians, he was a significant player in raising the status of directors of academic law libraries to the present level of faculty recognition and acceptance. From his Ivy League perches at Columbia, Yale, and Cornell, this handsome midwesterner could look down and sing “Everything’s Up to Date in Kansas City” from whence he entered the profession. He will be missed by all of us who can appreciate what he did when he did it!

**Joan E. Jarosek\*\***

¶14 I am saddened at the passing of Harry Bitner, a lovely gentleman and librarian extraordinaire. I had the pleasure of working with Harry at the Columbia University Law Library in the late 1970s. I was pursuing my master’s at the Columbia University Library School while working as a library assistant at the law library. Harry had returned to Columbia after retirement from Cornell and was serving as legal bibliographer. He and his wife, Anne, had returned to the metropolitan New York City area so they could be nearer to their daughter, Lorraine. Devoted to family, they were thrilled to be living closer to her. As I learned of Harry’s accomplishments throughout his career, I felt privileged to be working in his presence. The Columbia Law School community was delighted to have Harry return. Harry had made great contributions in his earlier years at Columbia and we

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\* Professor of Law and Librarian Emeritus, University of California, Hastings, San Francisco, California.

1. *Editor’s Note*: “Marian’s role as director of the law librarianship program through the University of Washington’s library school has had a remarkable impact nationally and internationally. Educating eighty law librarians during her thirty-seven years was no easy task. . . . Many owe their interest and success in law librarianship to her guidance and direction.” Penny A. Hazelton, [Memorial:] *Marian Gould Gallagher*, 82 LAW LIBR. J. 399, 399–400 (1990).

\*\* Manager of Library Services, Jones, Day, Reavis & Pogue, Dallas, Texas.

felt fortunate to have him with us again. He offered great encouragement to me as I embarked upon my law librarian career and was most generous in sharing his vast knowledge with me. He did not hesitate to take the time to teach me about legal literature and the rich collection at Columbia. I relished those lessons from Harry as the puzzle that was legal literature became clearer to me through his patient and thorough teaching.

¶15 I last saw Harry at the 1989 AALL Annual Meeting at which he was awarded the Distinguished Service Award for his outstanding contributions to the profession. It was a great reunion! We had a wonderful visit in which we discussed personal and professional matters. He was enormously proud of his family who were a source of great joy to him. And again, Harry offered encouraging words on my professional endeavors. I will remember a warm and generous man. My personal and professional lives have been enriched to have known Harry Bitner. I will miss him.

### Patrick E. Kehoe\*

¶16 Harry Bitner is a name I remember hearing literally from childhood—or at least from that period during my mid-teens when I first came to work for Marian Gallagher and Viola Bird at the University of Washington Law Library. Marian, Viola, and others there often spoke of colleagues they knew in the American Association of Law Libraries. Many were described as special friends and some were depicted as being part of a smaller group with whom Marian, Viola, and the others obviously enjoyed a unique kind of camaraderie. Professor Bitner certainly fell into the former group and may have been in the latter. One way or the other, it was obvious that he was someone for whom they all had great respect. Years later I would learn why.

¶17 Eventually I “graduated” from being a student assistant to being a full-fledged colleague and began to join my new colleagues at the Annual Meetings. At my first meeting, Al Coco, my boss at the University of Houston, introduced me to just about everyone in attendance. This included Harry Bitner. I remember that Harry was very friendly and easy to approach. It was, I thought, quite a signal honor to be able to meet someone whose book, *Effective Legal Research*, amounted to the law library student’s “bible.”

¶18 After my stint at Houston, I moved to Yale and while there I heard lots of fascinating stories about “Bitner” (as Harry was usually termed). By then Harry had left for Cornell, so I am sure the stories included a healthy mix of fact and fiction. Still they showed me that Harry was a very interesting person and had been an excellent leader at Yale. Later I recall learning of his decision to retire from

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Cornell and his metamorphosis from a consumer of law books to a producer. We all knew that Fred Rothman had pulled off quite a feat in attracting Harry to join his company. Later, of course, Harry—the consummate easterner despite his mid-western roots—stayed behind when Fred and his enterprise relocated west to Colorado. We were not surprised.

¶19 After this I lost touch with Harry and only encountered him a few more times. These meetings were always pleasurable. I am pleased that many of my fellow law librarians have contributed to the strong sense I have of the worth of what we do. Harry Bitner is one of them.

### Lorraine A. Kulpa\*

¶20 I worked for Harry Bitner for almost four years—September 1967 to January 1971. He influenced my career in many ways. For one thing, he recommended me to both the General Motors Legal Staff and the Law Library of Congress's American-British Law Division. As a result, I was in the fortunate position of deciding which of these simultaneous offers to accept! My horoscope in *Vogue* made my decision for me—really! However, the story and memory that comes to mind in remembering Mr. Bitner (I *always* called him that) is as follows.

¶21 Because I had attended library school at Syracuse University, my application and resume were on file with Cornell University's library. So when Mr. Bitner began his search for someone to head up the reference department in Cornell's law school library, he sent me a letter asking if I was interested in interviewing for the position. We agreed to meet at a pre-AALL Annual Meeting institute on law library administration that was to be held in Boulder, Colorado.

¶22 As I was sitting outside the interview room waiting for my turn, another institute attendee saw me. I must have looked very anxious because he stopped and asked what I was doing there, and I told him that I was waiting to see Mr. Bitner about a position. He said: "So, why are you worried?" And I said: "Because he's an *icon* in the profession and my track record so far is just two years of reference work at the Los Angeles County Law Library!" And he said: "So what? What did you say your first name is?" And I said: "Lorraine." And he said: "Relax! The job is yours! It's in the bag!" And I said: "How can you say that?" And he said: "*Don't you know?* Harry has only one child, a daughter, and *her* name is Lorraine. So I'm telling you the job is yours. Just be sure to ask him for a good salary!"

¶23 I don't know—and I certainly never asked—if my first name really did influence his decision. (I know for sure, on the other hand, that my surname has often gotten me into trouble, especially when misspelled with a C.) But whatever the reason, I got the job that for all time defined my professional path, something

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for which I will always be thankful to Mr. Bitner. I also did get to meet Lorraine—a beautiful girl—who often came to the library. And she eventually married one of the students who learned all about legal research from her father!

### Roy M. Mersky\*

¶24 I was chief of reader and reference services at Yale in the 1950s and recommended to then Dean Eugene Rostow that he name Harry director of the law library. Once he was appointed, it then became my professional privilege and personal pleasure to be Harry's assistant at Yale. I recall that one of Harry's fondest duties was to go through the public catalog to see if we had the books that he wanted to order for the library. His passion for learning and his deep insights into issues combined with his voracious reading made him a stimulating person whom I was also proud to call a close friend.

### Robert L. Oakley\*\*

¶25 I joined the staff of the Cornell Law Library in January 1969, less than a year out of college. I was hired by Lorraine Kulpa, the head of public services, to fill a position known as "reference assistant." That position turned out to involve many different tasks including handling simple reference questions, typing (on a typewriter), filing loose-leaf services, and running interference on trips to retrieve materials from faculty offices. The head of the library was "Mr. Bitner," a gentle soul who was, nonetheless, somewhat intimidating to those of us who didn't know him.

¶26 Like all new members of the library staff, when fall came I was required to take Practice Training I, an introduction to legal research taught by Mr. Bitner. Each week, we would attend a class to which Mr. Bitner would bring a cart of books. Patiently, he would show us the different books and try to explain what they were and how they were used. From there, we would go back into the library where, along with the confused 1L's, we would work our way through an inordinate number of research problems that seemed to take forever. It was all immensely confusing: what on earth was the difference between the *Federal Reporter* and the *Federal Supplement*? Why did we need to know about the blue pages? And why were there three different levels of supplements to *Shepard's* anyway? Eventually, we understood that each of the problems was there for a reason, and gradually, under Mr. Bitner's patient tutelage, it all became clear (well, relatively clear, anyway). Mr. Bitner was a dedicated teacher who was devoted to

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\*\* Director of the Law Library and Professor of Law, Georgetown University Law Center, Washington, D.C. (Cornell Law Library, 1969–79).



imparting his deep knowledge of legal research to his students. His love of the subject showed, and it was clear he cared that his students learned this important lawyering skill.

¶27 Occasionally, Mr. Bitner would emerge from his office with a few little green pieces of paper in his hand. He would make his way to the card catalog (we still had a card catalog in those days), check a few things, and then return to his office. When I eventually became bold enough to go into that inner sanctum, I observed that he always had several stacks of these green slips neatly arrayed on his desk. Only later did I learn that these mysterious pieces of paper were used both for building the great library collection at Cornell and also as part of the important work he was doing for the legal profession that culminated in the comprehensive *Law Books Recommended for Libraries*. That body of work quickly became a standard in the field and led to his receiving the Joseph L. Andrews Bibliographical Award from the American Association of Law Libraries in 1971, an award that I know meant a great deal to him.

¶28 After those early years, Harry became a friend and a mentor. There's little doubt that without his support and without him to learn from I would not be where I am today: the director of another major law library and now (like him) a past-president of the American Association of Law Libraries. Thank you, Mr. Bitner, for your teaching, your leadership, your coaching, and the career that you helped make possible for me.

### M. Kathleen Price\*

¶29 Once there were giants among law librarians! Miles Price, William Roalfe, Arthur Pulling, Julius Marke, Fred Rothman, and, most especially, Harry Bitner. When I entered the profession, "Price and Bitner"<sup>1</sup> was the bible of legal bibliography and its authors renowned as bookmen, reference librarians, and mentors.

¶30 When I attended my first AALL meeting in Philadelphia in 1968, I was the first member of the University of Alabama Law Library staff to venture onto the national scene. Despite my greenness, Harry took me in tow and introduced me to everyone he knew; he was a one-person CONELL!

¶31 During the ensuing years, whether at Cornell or Rothman, he was the inveterate bibliophile and generous teacher for those of us in remote locations. He was always just a phone call away. The green slips he and Rothman devised reflected his knowledge as a collection builder.

¶32 The retirement of the next generation—Morris Cohen, Balfour Halevy, Myron Jacobstein, Thomas Reynolds, and others—marks the end of the great

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1. MILES O. PRICE & HARRY BITNER, *EFFECTIVE LEGAL RESEARCH: A PRACTICAL MANUAL OF LAW BOOKS AND THEIR USE* (1953).

bookmen/administrators and reminds those of us who forsook collection development for substantive law teaching of what we have missed and are unable to pass along to our successors. How fortunate that these law librarians have left us with visible reminders of their greatness in the texts on bibliography and catalogs of their collections, which are as valuable today as when they were written or gathered.

### Paul A. Rothman\*

¶33 I do not know how old I was when I first met Harry Bitner. I was surely under ten and probably closer to six or seven. During my teenage years, I remember trips to Columbia with my dad to visit with Harry, Miles Price, and Meira Pimsleur. I remember good times my family and the Bitners shared on trips to New Haven, at LLAGNY dinner meetings in New York, and, most of all, at AALL's Annual Meetings. My dad and Harry were great friends, both personally and professionally, and our families seemed to do everything together at AALL meetings. By the time I was eighteen, I had either figured it out by myself or perhaps my father had ingrained in me that to be a really good law librarian, perhaps a great law librarian, was to be like Harry Bitner.

¶34 In later years, I became active in our family business, Fred B. Rothman and Co. I was privileged to work with Harry first as a vendor, then as his publisher for the ten-volume *Law Books Recommended for Libraries*, and finally as a coworker when in 1976 Harry joined our firm as head of bibliographical services. In 1978, when Fred B. Rothman and Co. relocated from New Jersey to Colorado, Harry came very close to making the move with us. He and Anne traveled to Denver to check things out and look for housing, but in the end they decided to remain on the East Coast where they would be closer to their daughter, Lorraine, and her family.

¶35 In the last twenty years I have only seen Harry on a handful of occasions, but I remember him as a good friend, a kind and gentle man, a hard working and highly skilled author and librarian, an innovator for the law library profession, and perhaps most of all, as a truly caring and concerned mentor to a whole generation of young librarians. Harry was a very special man who truly enriched my life and the lives of many others.

### Erwin C. Surrency\*\*

¶36 Harry Bitner was an outstanding law librarian and a dedicated member of AALL. He served AALL in many capacities—as president, member of the Executive Board, and member of numerous committees. Harry often spoke out at the Annual Meetings on issues facing the profession. One of his greatest contribu-

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\*\* Professor of Law and Director of the Law Library Emeritus, University of Georgia Law Library, Athens, Georgia.

tions to AALL was his unwavering support for the establishment of a permanent headquarters, although it was understood that it would be staffed by one person under the supervision of a member located in Chicago. Prior to this key event, taking a position as an officer in AALL required a huge commitment of support from one's staff and that of the individual's institution.

¶37 Harry trained under the recognized dean of law librarians, Miles O. Price of Columbia University. Harry's experience as associate director there gave him an expanded knowledge of law books, a subject he relished discussing. Price and Bitner authored *Effective Legal Research*, which filled a niche when first published in 1953 and since has become a classic of its kind. Many law libraries purchased copies for each professional staff member. However, the greatest bibliographical project that Harry Bitner undertook was editing *Law Books Recommended for Libraries*. Miles Price was the first director of the project but he soon turned it over to Harry. Each subject was compiled by someone who was considered knowledgeable in the area, but it fell to the editor to prepare these bibliographies for publication and add to them. Many law librarians checked their catalogs against these lists to determine the completeness of their collections.

¶38 Because of his interest in law books, a conversation with Harry was an informative delight to a young law librarian. Harry had a ready smile for everyone and he was especially delighted when he could introduce a new member to the old members of AALL. Harry was a giant among his peers, and I profited a great deal from having known him and having served with him on the Executive Board. Harry was a friend who will be missed.

### Marie E. Whited\*

¶39 I owe a great deal to Mr. Bitner—my whole career. He made sure I had a good foundation for my development as a law librarian. He encouraged me to learn and understand the workings of the whole law library. He created an atmosphere in which the whole staff worked together to serve our users and to build a great law library. He encouraged catalogers to learn about law and reference staff to learn about cataloging. He believed that good cataloging was one of the keys to a good law library and that classification was important in making the law library truly useable.

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